

AMENDED IN SENATE MAY 14, 2003

**SENATE BILL**

**No. 550**

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**Introduced by Senator Vasconcellos**

February 20, 2003

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An act to amend Sections 51212 and 66010.3 of, and to add Sections 8203.4, 33144, 33145, 35013, 35276, 51225.6, 52056.6, 66010.9, 66722.7, and 66722.9 to, the Education Code, and to amend Section 15037.1 of the Unemployment Insurance Code, relating to education.

LEGISLATIVE COUNSEL'S DIGEST

SB 550, as amended, Vasconcellos. Education.

(1) Existing law requires the Superintendent of Public Instruction to develop standards for the implementation of quality child care and develop programs. Existing law requires the State Department of Education to develop prekindergarten learning development guidelines that identify appropriate developmental milestones, basic beginning skills needed to prepare children for kindergarten or first grade, and methods of teaching these basic skills. Existing law requires the guidelines to be articulated with the academic content and performance standards adopted by the State Board of Education for kindergarten and grades 1 to 12, inclusive.

This bill would require the State Board of Education to develop developmentally appropriate guidelines, standards, and curricula for preschool and early childhood education and to align them to the state-adopted academic content and performance standards for kindergarten and grades 1 to 3, inclusive.

(2) Existing law requires the Superintendent of Public Instruction to superintend the schools of the state.

This bill would require the Superintendent of Public Instruction to identify appropriate school-level indicators regarding the availability and use of high-quality learning resources, conditions, and opportunities.

(3) Existing law establishes the Public Schools Accountability Act of 1999 which consists of the Academic Performance Index (API), the Immediate Intervention/Underperforming Schools Program, the High Priority Schools Grant Program for Low Performing Schools, and the High Achieving/Improving Schools Program. The API measures the performance of schools and the academic performance of pupils and consists of a variety of indicators.

This bill would require the Superintendent of Public Instruction, in collaboration with the ~~Governor's chief education officer~~ *State Board of Education*, to develop a long-term strategic plan for the meaningful use of accountability data and indicators that are linked to state educational goals.

(4) Existing law sets forth the sanctions to which a state-monitored school is subject if it fails to meet its growth targets and fails to show significant growth after a prescribed period of time participating in the Immediate Intervention/Underperforming Schools Program or the High Priority Schools Grant Program for Low Performing Schools, or both.

This bill would state the intent of the Legislature that the Legislature and Governor, through statute, develop a series of definitive actions that would be applied to a local educational entity that fails to meet its responsibilities. These actions would range from loss of flexibility in defined expenditure decisions to the loss of control of its responsibilities.

(5) The California Constitution requires the Legislature to provide for a system of common schools by which free schools are kept up and supported, as specified, and imposes a minimum funding obligation on the state for the support of school districts and community college districts.

This bill would ~~require the Director of Education, the governing board of a school district, and a county office of education to ensure that every school under its jurisdiction is provided with~~ *entitle every pupil to receive* sufficient quantities of learning materials, equipment, and other resources and that these materials, equipment, and resources ~~are~~ *be* current, in good condition, and appropriate *for* the learning needs of pupils. By imposing this requirement on school districts and county



offices of education, the bill would impose a state-mandated local program.

(6) Existing law requires English to be included in the course of study for grades 1 to 12, inclusive. Existing law states the intent of the Legislature to encourage the establishment of programs of instruction in foreign language with instruction beginning as early as feasible for each school district.

This bill would ~~require the Superintendent of Public Instruction to ensure~~ *state the intent of the Legislature* that all schools provide all pupils with a curriculum and coursework that includes the knowledge, skills, and experiences that will enable every pupil to attain mastery of oral and written expression in English, have a foundation for future mastery of a second language by the end of elementary school, and attain oral proficiency and full literacy in both English and at least one other language by the end of secondary school.

(7) Existing law sets forth the courses a pupil is required to complete to receive a diploma of graduation from high school. Existing law requires the Superintendent of Public Instruction to coordinate the development of model curriculum standards for the course of study leading to a diploma of graduation from high school and for a career technical education course of study. Existing law requires the Superintendent of Public Instruction to develop a curriculum framework that offers a blueprint for implementation of career technical education. Existing law requires a school district maintaining any of grades 7 to 12, inclusive, to offer all otherwise qualified pupils in those grades a course of study fulfilling the requirements and prerequisites for admission to the California public institutions of postsecondary education and that provides an opportunity to attain entry-level employment skills in business and industry upon graduation from high school.

This bill would require the State Board of Education to ~~establish a standard,~~ *adopt standards for an* academically rigorous curriculum for every high school pupil. The bill would require this curriculum to make available career and technical courses to every high school pupil. The bill would require the State Board of Education to *prepare a plan to* provide necessary learning support, including career guidance and assistance to enable pupils to successfully complete a curriculum that prepares each pupil to pursue a postsecondary education or career options.



(8) Existing law defines a low-performing school as a school in the bottom half of the Academic Performance Index rankings for purposes of various programs, including the Teacher Recruitment Incentive Program, the National Board for Professional Teaching Standards Certification Incentive Program, and the Principal Training Program. Existing law establishes the High Priority Schools Grant Program for Low Performing Schools.

This bill would state the intent of the Legislature that a school district provide more resources to principals in low-performing schools. The bill also would state the intent of the Legislature that these resources include additional staff and professional development.

(9) Existing law, known as the Donahoe Higher Education Act, sets forth, among other things, the missions and functions of California's public and independent segments of higher education, and their respective institutions of higher education. The existing act is applicable to the University of California only to the extent that the Regents of the University of California, by appropriate resolution, act to make any of its provisions applicable.

This existing act provides that the public elementary and secondary schools are responsible for academic and general vocational instruction from kindergarten through grade 12, including preparation for postsecondary instruction.

This bill would express legislative intent that the California State University and University of California systems continue to collaborate with the public elementary and secondary schools to increase the rigor of all academic courses, to reduce the demand for remedial instruction among freshman college students, and to eliminate the current practice of providing additional weight to honors and advanced placement courses in the grade point average calculations made during the admissions process.

The bill would also express legislative intent to ~~enact legislation to mandate~~ *provide for* the development of transparent and sustainable articulation and transfer processes to provide students with clear curricular guidance on the transition between grade levels, between high school and college, and between and among 2- and 4-year colleges and universities.

(10) The existing Donahoe Higher Education Act requires the Board of Governors of the California Community Colleges, the Regents of the University of California, and the Trustees of the California State University, with appropriate consultation with the academic senates of



the respective segments, to jointly develop, maintain, and disseminate a common core curriculum in general education courses for the purposes of transfer.

This bill would express legislative intent ~~to enact legislation that would require~~ the California Community Colleges, the California State University, and the University of California ~~to collaborate~~ to strengthen the programs in community colleges that prepare students to transfer successfully to the California State University or the University of California. The bill would also express legislative intent ~~to enact legislation to require~~ that the courses taken by community college students who plan to transfer are acceptable for transfer credit at all campuses of the California State University and the University of California.

The bill would ~~require~~ *request that* the board of governors, the trustees, and the regents ~~to~~ establish an intersegmental group, including faculty and students, to consider the steps needed to be taken to establish a transfer ~~associate's~~ *associate* degree, within the existing associate degree unit requirements, the attainment of which would guarantee admission and course transferability, but not necessarily admission to the major of choice, at any campus of the California State University or the University of California for students who successfully complete the transfer associate degree program.

(11) Existing law provides for the establishment of regional occupational centers and programs by school districts and county superintendents of schools to provide career technical and occupational instruction. Existing law requires a comprehensive performance-based accountability system of the workforce preparation system be designed and implemented. Existing law requires the performance of specified education and training programs to be measured.

This bill would include regional occupational centers and programs among the programs whose performance is measured under the workforce preparation accountability system.

(12) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 8203.4 is added to the Education Code,  
2 to read:

3 8203.4. To ensure that early learning gains are continued, the  
4 State Board of Education shall develop developmentally  
5 appropriate guidelines, standards, and curricula for preschool and  
6 early childhood education and shall align them to the state-adopted  
7 academic content and performance standards for kindergarten and  
8 grades 1 to 3, inclusive.

9 SEC. 2. Section 33144 is added to the Education Code, to  
10 read:

11 33144. Based on standards that specify what the state and  
12 school districts are required to provide to schools, the  
13 Superintendent of Public Instruction shall identify appropriate  
14 school-level indicators regarding the availability and use of  
15 high-quality learning resources, conditions, and opportunities.  
16 The California Education Commission shall collect information  
17 on these school-level indicators from reports submitted by school  
18 districts. The Superintendent of Public Instruction shall report the  
19 information collected by the California Education Commission in  
20 a format that permits comparison against standards arising from  
21 the California Quality Education ~~Mode~~ *Model* and make the report  
22 available in a revised school accountability report card.

23 SEC. 3. Section 33145 is added to the Education Code, to  
24 read:

25 33145. To determine the impact of programs and  
26 interventions designed to improve learning conditions and  
27 outcomes, the Superintendent of Public Instruction, in  
28 collaboration with the ~~Governor's chief education officer~~ *State*  
29 *Board of Education*, shall develop a long-term strategic plan for  
30 the meaningful use of accountability data and indicators that are  
31 linked by state and local policymakers, educators, and others to

1 state educational goals. The plan shall include strategies for  
2 remedying identified inadequacies.

3 SEC. 4. Section 35013 is added to the Education Code, to  
4 read:

5 35013. It is the intent of the Legislature that the Legislature  
6 and Governor, through statute, develop a series of definitive  
7 actions that would be applied to a local educational entity that fails  
8 to meet its responsibilities. These actions shall range from loss of  
9 flexibility in defined expenditure decisions to the loss of control  
10 of its responsibilities.

11 SEC. 5. Section 35276 is added to the Education Code, to  
12 read:

13 ~~35276. The Director of Education, the governing board of a~~  
14 ~~school district, and a county office of education shall ensure that~~  
15 ~~every school under its jurisdiction is provided with sufficient~~

16 35276. (a) *Each pupil is entitled to receive sufficient*  
17 *quantities of learning materials, equipment, and other resources*  
18 ~~and that these materials, equipment, and resources are current, in~~  
19 *that are current, in good condition, and appropriate for the*  
20 *learning needs of pupils. These materials, equipment, and other*  
21 *resources shall include the following:*

22 ~~(a)~~

23 (1) Individual textbooks, workbooks, and other required  
24 instructional media for use in and out of school.

25 ~~(b) Resources necessary to enable teachers to tailor and~~  
26 ~~creatively adopt curriculum to the interests and needs of individual~~  
27 ~~pupils.~~

28 ~~(c) Supplies, equipment, and other instructional materials~~

29 (2) *Fully credentialed teachers whose qualifications and*  
30 *subject matter knowledge are appropriate to their teaching*  
31 *assignments.*

32 (3) *Supplies and instructional equipment and materials*  
33 *necessary to support the instructional program at each level, as*  
34 ~~recommended in~~ *aligned to the state-adopted academic content*  
35 *standards, including teacher guides to textbooks.*

36 ~~(d)~~

37 (4) Computers with Internet access that each pupil and teacher  
38 may use on a basis determined by school personnel to be  
39 appropriate for a particular level of study or teaching.

~~(e) Suitable chairs, desks, and other classroom or laboratory equipment.~~

(5) *Clean, safe, and properly equipped school facilities.*

~~(f) Books, technical manuals, and other materials or equipment that can be borrowed from the school library and elsewhere, that pupils may use individually.~~

~~(g)~~

(6) Curriculum and materials *that are appropriate* for English learners.

~~(h)~~

(7) Curriculum, materials, and support for learners with identified disabilities.

*(b) It is the responsibility of the Superintendent of Public Instruction to ensure timely and efficient distribution of resources pursuant to the requirements of subdivision (a).*

*(c) It is the responsibility of school districts and county offices of education to ensure the equitable distribution to their pupils of resources in compliance with subdivision (a).*

SEC. 6. Section 51212 of the Education Code is amended to read:

51212. (a) It is the intent and purpose of the Legislature to encourage the establishment of programs of instruction in foreign language, with instruction beginning as early as feasible for each school district.

~~(b) The Superintendent of Public Instruction shall ensure that~~

*(b) It is the intent of the Legislature that all schools provide all pupils with a curriculum and coursework that includes the knowledge, skills, and experiences that will enable every pupil to attain mastery of oral and written expression in English, have a foundation for future mastery of a second language by the end of elementary school, and attain oral proficiency and full literacy in both English and at least one other language by the end of secondary school.*

SEC. 7. Section 51225.6 is added to the Education Code, to read:

51225.6. The State Board of Education shall ~~establish a standard~~ *adopt standards for an*, academically rigorous curriculum for every high school pupil. To ensure that every pupil is aware of and prepared for a full array of post high school options, this curriculum shall make available career and technical courses

1 to every high school pupil. To enable pupils to successfully  
2 complete a curriculum that prepares each pupil to pursue a  
3 postsecondary education or career options, the State Board of  
4 Education shall *prepare a plan to* provide necessary learning  
5 support, including career guidance and assistance.

6 SEC. 8. Section 52056.6 is added to the Education Code, to  
7 read:

8 52056.6. It is the intent of the Legislature that a school district  
9 provide more resources to principals in low-performing schools.  
10 It is further the intent of the Legislature that these resources  
11 include additional staff and professional development.

12 SEC. 9. Section 66010.3 of the Education Code is amended  
13 to read:

14 66010.3. (a) The public elementary and secondary schools  
15 shall be responsible for academic and general vocational  
16 instruction from kindergarten and grades 1 to 12, inclusive,  
17 including preparation of pupils for postsecondary instruction,  
18 future participation in California's economy and society, and adult  
19 instruction to the extent of state support.

20 (b) It is the intent of the Legislature that the California State  
21 University and University of California systems should continue  
22 to collaborate with the public elementary and secondary schools  
23 in order to accomplish all of the following:

24 (1) To increase the rigor of all academic courses.

25 (2) To achieve both of the following goals:

26 (A) Reducing demand for remedial instruction among  
27 freshman college students.

28 (B) Eliminating the current practice of providing additional  
29 weight to honors and advanced placement courses in the grade  
30 point average calculations made during the admissions process.

31 SEC. 10. Section 66010.9 is added to the Education Code, to  
32 read:

33 66010.9. ~~(a)~~—It is the intent of the Legislature to enact  
34 ~~legislation to mandate to provide for~~ the development of  
35 transparent and sustainable articulation and transfer processes to  
36 provide students with clear curricular guidance on the transition  
37 between grade levels, between high school and college, and  
38 between and among two- and four-year colleges and universities  
39 while avoiding the complexity of campus-by-campus  
40 differentiation.

~~(b) The~~ *The Legislature therefore urges the Regents of the University of California, the Trustees of the California State University, and the Board of Governors of the California Community Colleges shall, either directly or through the efforts of their respective faculties, provide for the devising of systemwide articulation policies to enable students to transfer units freely between and among the institutions that comprise their respective segments. It is the intent of the Legislature that this objective be attained by the proper application of accountability measures. the efforts of their respective faculties, to devise systemwide articulation policies to enable students to transfer lower division units universally among all institutions that comprise their respective segments.*

SEC. 11. Section 66722.7 is added to the Education Code, to read:

66722.7. It is the intent of the Legislature ~~to enact legislation to require both of the following:~~

~~(a) That~~ *that the California Community Colleges, the California State University, and the University of California collaborate to strengthen the programs in community colleges that prepare students to transfer successfully to the California State University or the University of California.*

~~(b) That~~ *It is the intent of the Legislature that the courses taken by community college students who plan to transfer are acceptable for transfer credit at all campuses of the California State University and the University of California.*

SEC. 12. Section 66722.9 is added to the Education Code, to read:

~~66722.9. The board of governors, the trustees, and the regents shall~~

*66722.9. The Legislature requests the Board of Governors of the California Community Colleges, the Trustees of the California State University, and the Regents of the University of California to establish an intersegmental group, including faculty and students, to consider what steps need to be taken to establish a transfer associate's associate degree, within the existing associate degree unit requirements, the attainment of which would guarantee admission and course transferability, but not necessarily admission to the major of choice, at any campus of the California*

1 State University or the University of California for students who  
2 successfully complete the transfer associate degree program.

3 SEC. 13. Section 15037.1 of the Unemployment Insurance  
4 Code is amended to read:

5 15037.1. (a) The state council shall be responsible for  
6 developing an education and job training report card program to  
7 assess the accomplishments of California's workforce preparation  
8 system.

9 (1) A subcommittee of the state council shall be established for  
10 this purpose.

11 (2) The subcommittee shall be comprised of three private  
12 sector members of the state council, the director of the department,  
13 the Superintendent of Public Instruction, the Chancellor of the  
14 California Community Colleges, or their designees, and  
15 representatives of programs that are to be measured under the  
16 report card program.

17 (3) The subcommittee shall be responsible for designing and  
18 implementing, or contracting with an operating entity for the  
19 implementation of, a system that can compile, maintain, and  
20 disseminate information on the performance of providers,  
21 programs, and the overall workforce preparation system.

22 (b) By January 1, 2001, the subcommittee or an operating  
23 entity under contract to the subcommittee shall operate a  
24 comprehensive performance-based accountability system that  
25 matches the social security numbers of former participants in state  
26 education and training programs with information in files of state  
27 and federal agencies that maintain employment and educational  
28 records and identifies the occupations of those former participants  
29 whose social security numbers are found in employment records.

30 (c) This system shall measure the performance of state and  
31 federally funded education and training programs for the purpose  
32 of system, program, and instructional improvement. Programs to  
33 be measured shall include programs in receipt of funds from the  
34 Job Training Partnership Act, the Carl D. Perkins Vocational  
35 Education Act, the Job Opportunities and Basic Skills program,  
36 the Food Stamp Employment and Training program, the Wagner  
37 Peyser Act, the Employment Training Panel, adult education  
38 programs as defined by paragraph (9) of subdivision (b) of Section  
39 10521, basic vocational rehabilitation services as defined by Part  
40 B of Title 1 of the federal Vocational Rehabilitation Act of 1973,

1 as amended (29 U.S.C. Sec. 701 et seq.), vocational education  
2 programs, regional occupational centers and programs,  
3 established pursuant to Article 1 (commencing with Section  
4 52300) of Chapter 9 of Part 28 of the Education Code, and  
5 certificated community college programs.

6 (d) Job training and education providers receiving funding  
7 identified in subdivision (c) shall, to the extent permitted by  
8 federal law, request social security numbers from each participant  
9 18 years of age and over and not currently enrolled in high school  
10 and participating in a workforce preparation program and shall  
11 report to the subcommittee or an operating entity under contract  
12 to the subcommittee, as the case may be, on participant social  
13 security numbers and economic and demographic characteristics,  
14 including, but not limited to, age, gender, race or ethnicity, and  
15 education achievement. The state council shall establish the  
16 acceptable format and timeframes for data submission.

17 (e) The system shall be designed to measure factors such as:

18 (1) Amount and source of funding.

19 (2) Program entrance and successful completion rates.

20 (3) Employment and wage information for one and three years  
21 after completion of training.

22 (4) The relationship of training to employment.

23 (5) Academic achievement for one and three years after  
24 completion of training.

25 (6) Achievement of industry skill standard certifications,  
26 where they exist.

27 (7) Return on public investment.

28 (f) Based upon the information compiled pursuant to this  
29 section, the subcommittee or an operating entity under contract to  
30 the subcommittee, as the case may be, shall, by December 31,  
31 1997, and each December 31 thereafter, do all of the following:

32 (1) Prepare and disseminate report cards for all training and  
33 education providers in receipt of funds included in the tracking  
34 system.

35 (2) Prepare and disseminate local and statewide report cards  
36 that measure the outcomes of the individual programs that operate  
37 as part of the workforce development system.

38 (3) Prepare and disseminate a state report card that measures  
39 the performance of the entire system of workforce preparation and  
40 the effectiveness of the system in meeting employers' needs for

1 educated and trained workers and the clients' needs for improving  
2 their economic well-being.

3 (g) The state council shall develop objective performance  
4 standards emphasizing the principles of continuous improvement  
5 for the programs covered under this section, and a system of  
6 sanctions and incentives to encourage performance that meet these  
7 standards.

8 (h) The state council shall explore the feasibility of including  
9 the following persons in this system:

10 (1) Attendees at private postsecondary institutions.

11 (2) Recipients of federal student loans.

12 (3) Recipients of Pell grants.

13 (4) Pupils in grades 11 and 12.

14 (5) Students enrolled in any community college, California  
15 State University, or University of California program.

16 (i) The sole purpose of this section is to assess the performance  
17 of state and federal employment and training providers and  
18 programs in preparing Californians for the workforce. Collection  
19 and use of social security numbers pursuant to this section shall be  
20 consistent with the requirements of Section 7 of the federal Privacy  
21 Act of 1974 (P.L. 93-579) and Section 405(c)(2)(C) of Title 42 of  
22 the United States Code. Notwithstanding Chapter 3.5  
23 (commencing with Section 6250) of Division 7 of Title 1 of the  
24 Government Code, or any other provision of law, the social  
25 security number of any person obtained pursuant to this section is  
26 not a public record, and shall not be disclosed except for the  
27 purpose of this section. Information obtained pursuant to this  
28 section shall not be sold or distributed to any entity without prior  
29 consent from the individual, or his or her parent or guardian, with  
30 respect to whom the information is gathered. This subdivision  
31 does not prohibit the exchange of information with other  
32 governmental departments and agencies, both federal and state,  
33 that are concerned with the administration of workforce  
34 development programs. Neither the subcommittee nor an  
35 operating entity under contract to the subcommittee, as the case  
36 may be, may make public any information that could identify an  
37 individual or his or her employer.

38 (j) An education and training program that requires  
39 information gathered by the education and job training report card  
40 program shall use the report card program and shall not initiate

1 automated matching of records in duplication of methods already  
2 in place as a result of the report card program.

3 (k) Funding for the development and maintenance of the  
4 education and job training report card program shall be made  
5 available on a shared basis by the programs the report card  
6 program is measuring, to the extent authorized by federal and state  
7 law. The subcommittee, or the operating entity under contract to  
8 the subcommittee, shall have the authority to assess each of the  
9 programs with an appropriate share of the costs of the report card  
10 program. Administrative funds currently used for program  
11 followup activities for the identified programs shall be redirected  
12 for this purpose, if authorized by federal law.

13 (l) The state council shall apply for any federal waivers that  
14 may be necessary to implement this section.

15 SEC. 14. Notwithstanding Section 17610 of the Government  
16 Code, if the Commission on State Mandates determines that this  
17 act contains costs mandated by the state, reimbursement to local  
18 agencies and school districts for those costs shall be made pursuant  
19 to Part 7 (commencing with Section 17500) of Division 4 of Title  
20 2 of the Government Code. If the statewide cost of the claim for  
21 reimbursement does not exceed one million dollars (\$1,000,000),  
22 reimbursement shall be made from the State Mandates Claims  
23 Fund.

